

# SENATE BILL No. 63

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 11-10-12-5.7.

**Synopsis:** Mental health treatment for inmates. Provides that committed offenders with serious physical or mental disorders may remain in treatment facilities operated by the department of correction until release to a similar treatment facility can be accomplished.

**Effective:** July 1, 2021.

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January 4, 2021, read first time and referred to Committee on Corrections and Criminal Law.

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First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

## SENATE BILL No. 63

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 11-10-12-5.7, AS ADDED BY P.L.185-2015,  
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2021]: Sec. 5.7. (a) The department shall assist a committed  
4 offender who has a mental illness or addictive disorder in securing  
5 treatment through an approved Medicaid program, as the authorized  
6 representative as described in IC 11-10-3-7 or as a health navigator  
7 under the requirements of IC 27-19-2-12, so that the committed  
8 offender might be eligible for treatment when the offender is:  
9 (1) released on parole;  
10 (2) assigned to a community transition program;  
11 (3) discharged from the department; or  
12 (4) required to receive inpatient psychiatric services while  
13 incarcerated to the extent authorized under federal law.  
14 (b) The department shall provide the assistance described in  
15 subsection (a) in sufficient time to ensure that the committed offender  
16 will be able to receive treatment at the time the committed offender is:  
17 (1) released on parole;



1 (2) assigned to a community transition program; or  
2 (3) discharged from the department.

3 (c) Subject to federal law, an inmate placed in a work release  
4 program or other department program involving alternative sentencing  
5 programs is eligible for Medicaid covered services.

6 (d) The department may use a community mental health center (as  
7 defined in IC 12-7-2-38), hospital, mental health professional, or other  
8 provider certified or licensed by the division of mental health and  
9 addiction to provide treatment for a mental illness or addictive disorder  
10 through the Medicaid program.

11 **(e) A committed offender may be permitted to remain within a**  
12 **treatment facility operated by the department if the offender has**  
13 **a serious physical or mental disorder or disability until release to**  
14 **a similar treatment setting outside the department can be**  
15 **accomplished.**

16 **(f) Pursuant to subsection (e), the department may continue**  
17 **housing the committed offender for not more than fourteen (14)**  
18 **days past the offender's mandatory release date in order to**  
19 **establish placement outside the department.**

